



# THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্ব দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

নং 670 দিশপুৰ, শুক্ৰবাৰ, 22 নবেম্বৰ, 2024, 1 আশ্বিন, 1946 (শক)

No. 670 Dispur, Friday, 22nd November, 2024, 1st Agrahayana, 1946 (S. E.)

GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

LABOUR WELFARE DEPARTMENT ::: LABOUR (RC) BRANCH

## NOTIFICATION

The 15th November, 2024

**No. E. 246430/73.-** Whereas certain draft rules further to amend the Assam Factories Rules, 1950, hereinafter referred to as the principal Rules, were published in the Assam Gazette, Extraordinary No. 177 dated , 4<sup>th</sup> April, 2023 inviting objections or suggestions from all persons likely to be affected thereby before the expiry of a period of 45 (forty-five) days from the date of publication of said Notification in the Official Gazette.

And whereas objections or suggestions received within the said period from public in respect of the said draft rules have been considered by the Government.

Now, therefore, in exercise of the powers conferred by section 112 of the Factories Act, 1948 (63 of 1948) under section 115 of the said Act, the Governor of Assam is hereby pleased to make the following rules further to amend the Assam Factories Rules, 1950, in the manner hereinafter appearing, namely :-

- |                              |    |                                       |  |
|------------------------------|----|---------------------------------------|--|
| Short title and commencement | 1. | (1)                                   | These rules may be called the Assam Factories (Amendment) Rules, 2024.   |
|                              |    | (2)                                   | They shall come into force on the date of their publication in the Official Gazette.   |
| Amendment of rule 3A         | 2. | In the principal Rules, in rule 3A, — |  |
|                              |    | (i)                                   | in sub-rule (3), in the fifth line, for the words "or he may call for such other particulars as he may require to enable such approval to be given", the |

words “or he may reject the plan with reasons to be recorded in writing and communicate to the applicant within the period specified in the table below or otherwise the application shall be considered to be deemed approved in favour of the applicant.” shall be substituted.

- (ii) for the existing table, the following shall be substituted, namely:-

<b>Table : Timeline for Approval of Plans</b>		
<b>Sl. No.</b>	<b>Category of Factories</b>	<b>Time limit from the date of receipt of completed application</b>
1.	Factories as defined under section 2(m)(i) and 2(m)(ii) and not involving Hazardous Process as defined under section 2(cb) of the Act.	60 (sixty) days.
2.	Factories involving Hazardous Process and major Accident Hazards Installations.	90 (ninety) days. [60 (sixty) days for the appraisal of site by the Site Appraisal Committee, 15 (fifteen) days for approval from the Government, and 15 (fifteen) days for approval by the Chief Inspector of Factories].

Amendment of Rule 5      **3.** In the principal Rules, in rule 5, —

- (i) in sub-rule (1), in the first proviso, in clause (ii), at the end, after the word “danger” ,for the punctuation mark “.” the punctuation mark “:” shall be substituted and thereafter the following proviso shall be inserted, namely:-

“Provided further that the Chief Inspector while refusing the application of licence shall have to reject the application within the time period as shown in the table below or otherwise the application shall be considered to be deemed approved and the registration and licence number shall be automatically generated in favour of the applicant.”

- (ii) for the existing table, the following shall be substituted, namely:-

<b>Table : Timelines for Grant of Licence</b>	
<b>Category of Factories</b>	<b>Time limit from the date of receipt of completed application</b>
Factories as defined under section 2(m)(i) and 2(m)(ii) and not involving Hazardous Process as defined under section 2(cb) of the Act.	60(sixty) days.
Factories involving Hazardous Process and major Accident Hazards Installations.	60(sixty) days from the receipt of approval of site from the Government.

Amendment of **4.** In the principal Rules, in rule 6,—

Rule 6

- (i) in sub-rule (1), after the existing provision, the following proviso shall be inserted, namely: -

“Provided that a licence granted under rule 5 or renewed under rule 7 may be rejected by the Chief Inspector of Factories within the time limits specified in the table below for reasons to be recorded in writing and shall be communicated to the applicant or otherwise the application shall be considered to be deemed approved in favour of the applicant.”

- (ii) for the existing table, the following table shall be substituted, namely:-

<b>Table :Timeline for amendment of Licence</b>	
<b>Category of Factories</b>	<b>Time limit from the date of receipt of completed application</b>
For all categories of Factories.	60 (sixty).

Amendment of  
rule 7

**5.** In the principal Rules, in rule 7,

- (i) in sub-rule (2), in the seventh line, at the end, after the word“applied”, for the punctuation mark “.”, the punctuation mark “:” shall be substituted and thereafter the following proviso shall be inserted, namely:-

"Provided that the Chief Inspector while refusing the application for renewal of licence shall

have to reject the application within the time period as shown in the table below or otherwise the application shall be considered to be deemed approved in favour of the applicant.”

- (ii) for the existing table, the following shall be substituted, namely:-

<b>Table: Timeline for renewal of Factory Licence (other than Auto-renewal)</b>		
<b>Sl. No.</b>	<b>Category of Factories</b>	<b>Time limit from the date of receipt of completed application</b>
1.	For all categories of Factories.	60 (sixty) days from the receipt of approval of site from the Government .

Amendment of  
rule 8

6. In the principal Rules, in rule 8, for sub-rule (4) the following shall be substituted, namely :-

“(4) An application for transfer of licence shall be decided within a period of 60 (sixty) days and the Chief Inspector while refusing or rejecting the application of transfer of licence, shall have to reject the application within the time period as specified or otherwise the application shall be considered to be deemed approved in favour of the applicant.”

Deletion of  
Rule 47

7. In the principal Rules, rule 47 shall be deleted.

**BALLEPU KALYAN CHAKRAVARTHY,**  
Additional Chief Secretary to the Government of Assam,  
Labour Welfare Department.